

REMARKS

Applicants thank the Examiner for the careful and thorough examination of the present application. By this amendment, various claims have been amended to further clarify the invention. Claims 16-45 remain pending in the application. Favorable reconsideration is respectfully requested.

Initially, regarding the Examiner's objections to the specification and drawings for reasons related to various reference numerals, Applicants point out that page 8 of the specification has been amended to refer to numeral 28 instead of 20, and the numerals 26 and 33 are mentioned on page 15 of the specification. Accordingly, the drawings comply with 37 CFR 1.84(p)(5).

I. The Invention

As shown in FIGS. 1-7, for example, the disclosed invention provides additional protection to integrated circuits that handle confidential information, in particular those that are mounted within smart cards. This is achieved by providing a method and/or circuit for protecting an integrated circuit against piracy. Before a predetermined processing sequence, the integrated circuit detects the state of at least one timer. The circuit controls the activation of the timer if it is not activated, and disables itself if the timer is activated.

II. The Claims are Patentable

Claims 16-45 were rejected in view of Ugon et al. (U.S. Patent No. 6,839,849) taken alone or in various combinations with Schrenk (U.S. Patent No. 5,497,462), Sutherland (U.S. Patent No. 6,292,898) and/or Brehmer et al.

(U.S. Patent No. 5,563,799) for the reasons set forth on pages 2-15 of the Office Action. Applicants contend that Claims 16-45 clearly define over the cited references, and in view of the following remarks, favorable reconsideration of the rejections under 35 U.S.C. §102 and §103 is requested.

The independent Claims 16, 23, 30 and 38 each include the integrated circuit detecting the state of the timer and disabling itself if the timer is activated. It is these combinations of features which is not fairly taught or suggested in the cited references and which patentably defines over the cited references.

The Ugon et al. patent relates to a smart integrated circuit which has a main processor and an operating system executing a main program as a main task-performing process, and at least one secondary processor capable of concurrently executing at least one secondary program as a task-performing process. As discussed in column 11, lines 13-21 of Ugon et al. (relied upon by the Examiner), when a timer runs out, it triggers an authentication of the secondary processor by the main processor.

However, the Examiner has mischaracterized the reference as there is no teaching of the integrated circuit detecting the state of the timer and disabling itself if the timer is activated, as claimed. Indeed, Applicants emphasize that the main processor in Ugon et al. merely authenticates the secondary processor when the timer runs out. There is no mention of disabling the integrated circuit at all, let alone when the timer is activated.

Furthermore, the Schrenk patent is directed to a method and circuit for protecting circuit configurations having an electrically programmable non-volatile memory used as a non-volatile counter, an access check is provided in the

circuit configuration by comparison of a check code to be fed in with a secret code. The Sutherland and Brehmer et al. references have been relied upon by the Examiner to show various other features such as erasure of data and details of timer circuits. However, none of these references makes up for the deficiencies of the Ugon et al. patent as discussed above. In other words, the combination of teachings of the various references cannot meet the features of the present invention as claimed.

As the Examiner is aware, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. The identical invention must be shown in as complete detail as is contained in the claim. Also, to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the reference itself or in the knowledge generally available to one of ordinary skill in the art, to modify the reference. Second, there must be a reasonable expectation of success. Finally, the prior art reference must teach or suggest all the claim features.

There is simply no teaching or suggestion in the cited references to provide the combination of features as claimed. Accordingly, for at least the reasons given above, Applicants maintain that the cited references do not disclose or fairly suggest the invention as set forth in the independent claims. Furthermore, no proper modification of the teachings of these references could result in the invention as claimed. Thus, the rejections under 35 U.S.C. §102 and 103(a) should be withdrawn.

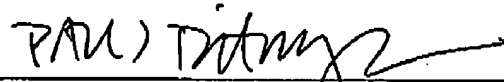
It is submitted that the independent claims are patentable over the prior art. In view of the patentability

of the independent claims, it is submitted that their dependent claims, which recite yet further distinguishing features are also patentable over the cited references for at least the reasons set forth above. Accordingly, these dependent claims require no further discussion herein.

III. Conclusion

In view of the foregoing remarks, it is respectfully submitted that the present application is in condition for allowance. An early notice thereof is earnestly solicited. If, after reviewing this Response, there are any remaining informalities which need to be resolved before the application can be passed to issue, the Examiner is invited and respectfully requested to contact the undersigned by telephone in order to resolve such informalities.

Respectfully submitted,



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CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 703-872-9306 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 15 day of June, 2005.

Paul D. [Signature]